LARGEST B

TS YESTERDAY IN F THE MARKET.

ESTIMATED 5 JE. \$396,110. MADE INTO ONE TRAIN IT WOULD BE

6 1-2 MILES LONG. Would Require Twenty-five Engines

to Pull the Train-Exceeded by 151 Cars Combined Receipts of Chiengo, Minneapolis, St. Louis, Daluth,

Receipts of wheat at Kansas City yes terday were the largest in the history of this market and exceeded by Lid cars, of appro locately 100,000 bushels, valued a \$21,500, the combined total receipts yester day of the four great wheat markets of Chicago, St. Louis, Minneapolis and

There were \$11 cars of wheat on the Kanwas City market yesterday, eight more than ever before. These cars contained approxi-roately 18,520 tons, or 554,000 bushels of wheat, worth at an average price of 715, cents, a low average per bushel, \$26,110, or nough to buy the sites for and build two enough to buy the steer of and Kansas City convention halls on the plans proposed, with \$8.000 remaining, or \$16 each, if divided pro rata among the mem-bers of the Kansas City Admirers' Associa-

These Sil cars, with twenty-five engines to draw them, would make a train over six and one-half miles in length. The curs are worth about \$800,000, or approximately the calus of the wheat they contained. If the returns from this wheat were distributed ually among the residents of Kansa City, each man, woman and child should receive \$2.34; each family of five would be given a comfortable living for a week.

city, each man, woman and child should receive \$2.34; each family of five would be given a comfortable living for a week.

And yet the receipts of wheat at this market yesterday were said by many board of trade men to be disappointing. Bets were freely made on Friday that Monday's receipts would exceed 1,00 cars, and many grain men placed the estimate as high at 1.00 cars, and many grain men placed the estimate as high at 1.00 cars, and many grain men placed the estimate as high at 1.00 cars, and many grain men placed the estimate as high at 1.00 cars, and many grain men placed the estimate as high at 1.00 cars, and many grain men placed the estimate as high at 1.00 cars, and many grain men placed the estimate as high at 1.00 cars, and many grain men placed the estimate as high at 1.00 cars, and many grain men placed the estimate as high at 1.00 cars, and many other lands and the four other landing wheat receipts of the four responding day of last year there were 125 cars of wheat were received. For the corresponding day of last year there were 125 cars of wheat received.

The figures given do not take into account the wheat shipped through Kansas City to other markets. The Sil cars were all consigned to Kansas City. No record can be had of the number of cars passing through and which figure only in helping to kiockade the railroad yards here. Neither there any record of the proportion of receipts at Chicago, St. Louis, etc., which were furnished these markets by Kansas City and which entered into the reported receipts here last week. If these records were obtainable they would of course show Karsas City to still better advantage as a wheat market.

Other grain receipts yesterday were: Cura, \$2 cars, as against 26 for the same day last year; only, \$2 cars, \$9 last year. The still better advantage as a wheat market.

Other grain receipts were flax, \$6 cars, \$8 last year; hay, \$2 cars, \$9 last year. The still better advantage as a wheat market. So for on the still better advantage as a wheat market. So for or hea at Western, 15 cars of wheat, 5 of corn, 1 oats. Pittsburz & Golf, 14 cars of set, 5 of hay. "Katy." 12 cars of hay. uphis, 1 car of flax, 5 of hay. Kansas. Osceola & Southern, 2 cars of flax 5 of hay.

the enormous receipts of grain spite the enormous receipts of grain threatened blockade was less serious erday than Saturday, and there were it half as many cars in the yards here night as on Friday night. In the one between 8 and 9 o'clock yesterday the Kansas City yards last night were the Suburban Belt.

# DOG ATTACKS A BLIND MAN.

R. C. Kennon, One of the World's Unfortunates, Set Upon by Heckel Brothers' Savage Mastiff.

While passing Heckel Bros.' barber supply house at 630 Main street last night R. C. Kennon, a blind organ grinder, who, with his dog. 'Tom,' as sole escort, is a familiar figure on the streets of Kansas City, was attacked by a large mastiff. Tom' went to his master's rescue, but to not be soldy a small pointer dog, the City was attacked by a large mastiff. "Tom" went to his master's rescue, but as he is only a small pointer dog, the mastiff paid little attention to him and legal at Kennon. He had the latter's right hand in his mouth, when he was driven off by the bristanders. The mustiff then attacked "Tom." He granbed him by the threat with his great feeth, his laws closing like a charp. Tom howled with pain and his billed master went to his resone with his cane, and belabored the mastiff a back with resounding whacks, but to no surpose. The mustiff held on with a death-like grip. "Tom" was fast losing blood and life, when someone threw a bucket of vold water on the combatants and they fell apart. Term gasping for life.

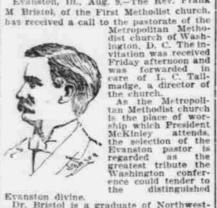
When Kennon and his dog were free, the production and his faithful friend received the first attention from the drug giore, where their wounds were dressed. Kennon stood by while his faithful friend received the first attention from the drug gior. The dog was suffering from a badly hierarcted throat and some wounds on the scanibles. While "Tom's" wounds were being dressed. Kennon recounted the details of the first of the stack, as it could better be called. It is hand gave him great pain, but he recey whimpered until the death of the first action of the him the product of the first had and some wounds on the scanible. It is hand gave him great pain, but he recey whimpered until the death of the first painting the him were dressed, then he permitted the dringsist to attend to him. His hand was chowed up hadly, but will not be seriously affected unless blood polsoning sees in.

Benevolent Society Collector Arrested 43 W. Souter is held at Central police tation for fivestigation. He was former-y a collector for the National Benevolent Society. Sin New York Life building, and stager Collins charges that he his con-nued to make collections after his con-section with the society was severed. A harge of embezzlement will probably be

# CALLED TO WASHINGTON.

Rev. Frank M. Bristol, of Evanston, III., to Be President McKinley's Pastor.

Evanston, Ill., Aug. 9.-The Rev. Frank M Bristol, of the First Methodist church



Evansion divine.

Dr. Bristol is a graduate of Northwestern university. He has been pastor of Trinity and Grace Methodist churches in Chicago and is well known as a lecturer. It is understood that Dr. Bristol has accepted the call.

# GOVERNMENT ARMOR FACTORY.

Special Naval Board Now Sitting In and Prepare Estimates.

Washington, Aug. 9.-A special naval board, appointed by Acting Secretary for the purpose of preparing, for the information of congress, estimates a government plant for the manufacture of armor, met at the navy department today. The plan is to make a most thorough investigation of the question presented in has been accomplished, propositions will be invited for the sale of a complete plant

or, if in a restless mood, takes long walks out into the country, returning at daybreak to begin work in his little shop just north of the house. His neighbors call him "the

# DOESN'T WANT TO WAIT.

L. J. Pettyjohn, of Garden City, Anxions to Enter the Service of Incle Sam.

Topeka, Kas., Aug. 9 .- (Special.) L. J. Pettyjohn, of Garden City, who has been recommended by Senator Baker for a position in the Dodge City land office, is in the city to-day. He will go to Leavenworth to-morrow to consult the senator distment. The present incumbent was appointed last year to fill a vacancy, and, if he has four years to serve, his time will not be out until 1900. Pettyjohn is willing believes that the recent decision of the United States supreme court applies to land office men as well as to postmasters, and that the president should help him out by firing the present Democratic offi-

### SUTTON TAKES CHARGE TO-DAY Will Maintain Headquarters at Leav enworth-Chief Deputy Fagan Will Probably Remain.

Topeka, Kas., Aug. 9 .- (Special.) Mike Sutton will take charge of the office of collector of internal revenue for the district of Kansas to-morrow. He will mainenworth. Although the present chief depenworth. Although the present chief deputy. Mr. Fagan, is a Republican and the place is in the classified itst, there are two candidates for the place-Representative A. H. Burtis and D. M. Frost, both of Garden City. Mr. Fagan resides at Leavenworth and, from a reliable source, comes the information that he will not be disturbed. The position of cashier of the office has been taken from the classified list and it is said that Captain Henry Booth, of Larned, is to get that place.

### ARMENIANS INVADE TURKEY. Cross the Border From Persia and

KIII Two Hundred Men, Women and Children.

Constantinople, Aug. 9.—An official dis-natch received here says several thousand armenian agritators from Persia invaded Purkey last Fridny. They killed 200 of the digrikl tribe, including women and chil-iren. The wife of the chief was put to

APPETITES OF THE COAL MINERS REFUSE TO STRIKE.

# STRIKERS' FAMILIES STARVING.

MANY APPEALS FROM ALL OVER THE STRIKE DISTRICT.

Marching Miners Living Better That Their Wives and Children-Series of Mass Meetings to Be Held -No Pay for the Strikers.

Pittsburg, Pa., Aug. 9.-Appeals for food and provisions were numerous at the head quarters of the miners' officials in this city to-day. .t appeared as if there was a wall from every section of the district, and miners in person were present to ask that the suffering ones be looked after. Secretary Warner was kept busy answering the appeals. He said to-night that he had sent more than \$1,000 worth of groceries and provisions into various parts of the district. The appeals are now coming in from the families, the heads of which are at the various mining camps using their influence to keep other men from working. The strike is beginning to cause hunger among the miners' families along the Wheeling division and in the Pan Handle district. At the mines where company stores have been in operation the destidistrict. tution is more marked. In most instances all of its aspects, not only with a view to the stores were closed up shortly after the the ascertainment of the cost of building strike began, and the miners have no a great government factory, but, after that place now where their credit is good. The place now where their credit is good. The male members of the miners' families are living better in the camps than the wom-

has been accomplished, propositions will make invited for the sale of a complete plant to the government. While this last information was not specifically directed to be furnished to congress in the many described to be furnished to congress in the many described to be furnished to congress in the many described to be furnished to congress in the many described to be furnished to congress in the many described to be furnished to congress in the many described to the first branch of the subject, it will be necessary for the board to travel a good deal, possibly to Europe, before the inquiry is ensed, though that has not yet been determined upon. Certainly it will be necessary for it to visit many points in this country where it has been suggested that a government plant may be advantageously established, in order to ascertain at first hands their relative merits, and to learn which of them presents the necessary conditions. There has been no lack of suggestions to the navy department from the presents the necessary conditions. They have come also be advantageously established, in order to ascertain at first hands their relative merits, and to learn which of them presents the necessary conditions. They have come also be advantageously established, in order to ascertain at first hands their relative merits, and to learn which of them presents the necessary conditions.

There has been no lack of suggestions to the navy department from Maryland, and, indeed, from almost every part of the country where there is iron and coal. One recommendation for a site in New Jersey came from a woman. According to Mr. Hoosevelt, some of the country where there is iron and coal. One recommendation for a site in New Jersey came from a woman. According to Mr. Hoosevelt, some of the furnished to jail for a hearing before the furnished to jail to a hearing before the fur to go out as soon as it was loaded, which will take several days. The officials of the company made an effort this afternoon to get permission from the mining officials to continue work on a 69-cent basis. This was not given, and it is expected that the

was not given, and it is expected that the mine will be idle as soon as the flat is loaded.

All the miners of the New York and Cleveland Gas Coal Company who are still at work were paid to-day, but those who struck did not receive any money, the company insisting upon the terms of the company has the miners who give a reasonable excuse for attending any of the meetings will be paid.

The company has the names of all the men who have been at these meetings and took part in any of the demonstrations. Unless they can give an explanatory excuse, they will get no money. The strikers say the men have promised to quit work as soon as they get their pay, but Superintendent Samuel DeArmit says the strikers will not take a man out of Flum Creek mine, except twenty-nine who will be discharged. Owing to the carelessness of the guard about the Sandy Creek mine, forty men went into the mine at 5 o'clock this morning and are now at work. Last week there were but three men at work and only three cars of coal were mined.

Nowaski, the Connellsville agitator, who addressed the meeting, last night in four languages, was expelled from the camp and ordered to stay away for using profane language in his speech.

William Briscal, a day man at Plum Creek, was riding his bucycle last night when he was assanited by four of the strikers and badly liqured. His whele was broken and ne will be laid up for several weeks.

The Sandy Creey miners are awaiting developments. They are hopeful the court will set aside the contracts of the company which the men were obliged to sign.

Hunger is doing more injury to the cause of the miners than any other one thing, and the commissary department is doing everything possible to provide a

thing possible to provide against this con-centingency.

President Dolan will go to the Canons-borg region and defy the injunctions by speaking at a meeting scheduled for the 11th Inst. It is said that only thirteen gon-dolas were loaded at Plum Creek to-day.

There is to be a big demonstration in the morning at Plum Creek, when the strikers believe they will be able to close down the mine.

J. C. Dysart, a member of the uniformity J. C. Dysart, a member of the uniformity commission, returned to the city to-day after a week's absence. He says the work of scuring signatures will be pushed enrestly, and he believes the required number will be secured. The miners, he says, cannot possibly win the strike, as the mines still in operation can supply the demand. Some coal operators are getting restless, and threaten to attempt to start their mines this week. W. H. Simmons, a large coal dealer, says there is no scarcity of coal. Last night 250 cars of coal came into Pitisburg from West Virginia, and large quantities are being shipped to Pitisburg from the mines along the Pennsylvania railroad. sylvania railroad.

### NEW TURN IN WEST VIRGINIA. Strikers Succeed in Getting Part of the Boggs Run Men to Prom-

ise to Quit Work. Wheeling, W. Va., Aug. 9 .- Matters took a new turn to-day in the Wheeling district, and the miners are feeling encouraged at the patch received here says several thousand armenian agitators from Persia invaded in Turkey last Friday. They killed 200 of the Migriki tribe, including women and child diren. The wife of the chief was put to death with the most cruel tortures, and several other victims had their noses and ears cut off. The authorities Have taken measures to capture the marauders.

Poor Crops in Austria.

London, Aug. 10.—A dispatch to the Times from Vienna says that the unfavorable in larvest prospects in Austria-Hungary, which have been aggravated by the floods in the price of cereals, which are now standing higher than any figure they have reached for many years. This is especially the case with wheat.

Geod Rain in Sheridan County.

Hoxie, Kasa, Aug. 2.—Rain fell here last rish. From reports from all over the county, it was general, and the fall was rwo inches. No corn has been hurt so far, and this insures a crop. The hay harvest and this insures a crop. The hay harvest is in full blast. Farmers will sow the largest acreage of small grain this fall that was ever put out in this county.

Hotel Victoria

Bas the coolest rooms. O. B. Stanton, Prop. new turn to-day in the Wheeling district, and the miners are feeling encour-

take place Tuesday, but it is more likely to occur later in the week. With Weges and Boggs Run shut down, all of the mines in this section on both banks of the Ohio will have suspended.

### ARMED DEPUTIES ON GUARD. Over 200 Men at Coffeen, Ill., Protect-

ing 125 Working Miners From a Strike Army.

Coffeen. Ill., Aug. 9.-This town is under martial law. A force of 235 armed deputy

Coffeen. Ill., Aug. 9.—This town is under martial law. A force of 255 armed deputy sheriffs is guarding the town, and particularly the property of the Coffeen Coal and Copper Company. One hundred and twenty-five men were at work in the shaft to-day under protection of an armed force. They refused to work unless the sheriffs poses stood guard at the mine entrance to prevent the possibility of an onslaught from the strikers.

"General" Bradley's men are encamped, 300 strong, in the woods just west of town. They have been forbidden to enter the village, under penalty of arrest.

Deputy sheriffs carrying shotguns, Winchesters and other weapons stand guard at every roadway running in here, and no one is allowed to enter unless he can snow that his business is of a nature having no connection with the strike. Bradley has gone to Springfield for a conference with Governor Tanner. Until his return nothing is any to be done. He will be on the ground about to-morrow merning, and then it is expected that the strikers will move on the town. Early this morning President J. L. Traylor, of the town board, accompanied by B. B. Ray, the personal representative of Governor Tanner, went to the mine and addressed the miners.

In reply to questions he asked, the miners said they wanted the guards about the pits retained; declared they wished for no conference with strikers, and said they were entirely satisfied to stay at work. Mr. Ray then held a conference with the strikers and made them a speech, in which he sympathized with their condition.

MAY BE AN ANTHRACITE STRIKE

Depends Upon the Success or Fullure

of the Bituminous Miners' Struggle. Pittsburg, Pa., Aug. 5.-Upon the success r failure of the bituminous coal miners' strike depends the inception of a move-ment by the anthracite miners for higher wages and better conditions, District President Patrick Dolan and the other officials of the United Mine Workers' organi

advance will not be mi. e. in the antifractic region.

The anthracite miners are poorly organized. At one time their union was strong, but disastrous strikes in which the men were beaten resulted in a gradual shrinkago in the union. The United Mine Workers officials have sent cheerful news in response to the request for an opinion on the outcome of their strike. The intention of the anthracite miners is to get together as many of their fellow workmen as possible before any demand for higher wag's is made, and, looking to this end, organizers will begin work at once.

### NO STRIKE IN IOWA.

Hawkeye Miners Decide Not to Go Out, but Will Give Their Mites to Aid.

Ottumwa, Ia., Aug. 9,-At a meeting of the Iowa miners here to-day, it was decided not to strike in sympathy with the Elasterners, but it was voted to assess all men 25 cents per week for their aid. The meeting was poorly attended, only one-fourth of the miners in the state being represented. The agitators from lift-nois worked hard to get the men represented. The agriculture from interest of the ment of declare a strike, but the men decided they could do no good in ordering a strike with such a small number, and passed a resolution ordering notices to be sent out to all camps in the state for another meeting at Oskaloosa, August 19. If two-thirds of the mines in the state signify their in-

# HOKE SMITH SETTLED IT.

Acted as Arbitrator in the Big Cotton Mill Strike at Atlanta.

Georgia. Atlanta, Ga., Aug. 9.-It develops to day that the settlement of the big strike of the Fulton bag and cotton mill operatives here was the work of ex-Secretary Hoke Smith. The strike involved the ne-Hoke Smith. The strike involved the negro question, and adjustment was difficult. Disinterested parties induced the strikers' committee and President Eleas of the company to meet in Mr. Smith's office, and, with the former secretary acting as arbitrator, an agreement was reached on terms suggested by him. The settlement is regarded here as a victory for the principle of arbitration in labor disputes.

# To Smuggle Whisky Into Alaska

Scattle, Wash., Aug. 9.—It is said , whisky smuggling ring has been formed in San Francisco, with a branch in this city, to smuggle whisky into Alaska and the Klondike district. Henry Laub, of Laub & Co., distillers, of Louisville, Ky., is said to have been invited to join the ring, but to have rejected the overtures. The plan is to conceal the whisky in a boat loaded with provisions.

# Bievele Cut Causes a Failure.

Philadelphia, Aug. 8.—The F. W. Damp-man Cycle Company made a general as-signment to-day for the benefit of its cred-itors. Mr. Dampman said the failure was due not alone to the general depression, but because of the cut rate war now going on among the large dealers.

Cyrus C. Maclay, president of the Bank of Tipton, Mo., and an old resident, is dead. Miss Katle Morgan, 17 years old, attempted to commit suicide after a quarrel with her loves. C. J. Chapman, Jerry Wilson and Frank Vetzler, of Oketo, Kas., will start for the

Klondike this week.

A flax tow factory at Fort Scott, Kas., which has been idle for several months, has resumed operations.

Morris Eppler, aged 8, shot and killed Rudolph Freikel, aged 5, while playing with a loaded revolver at Dayton, O.

The Nevada. Mo., school board has broken its deadlock by the election of Professor A. W. Duff, of Pleasant Hill, superintendent. Klondike this week.

intendent.

It is learned that 130 persons, most children, were killed, and 170 badly injured by the explosion in the cartridge depot at Rutschuk, Bulgaria.

William Price attempted to kill William Tassie, whom he found in company with his wife at Lewisburg, Ky., and Tassie shot him twice, killing him instantly.

Four freight cars were demolished by a collision in the Missouri Pacific yards at ates Center, Kas., Sunday. This is the ourth wreck there within three weeks. Ethel Hornaday, aged 15, was shot through the head by the accidental dis-charge of a target gun by Harry Eldredge, at a Sunday school picnic near Pittsburg, Kas.

It is said Chester I. Long will permit Colonel Murdock, of the Wichita Eagle, to name the next postmaster there, and that he has decided upon his son, Victor, for he has decided upon his son, Victor, for the position.

Sheriff Ewing, of Nevada, Mo., left yesterday for Nebraska, to bring back William Burbridge, a prominent young farmer charged with forging the name of Mike Handley to a check for \$1.

Kansas Cityans registered at New York hotels are: S. C. Chiles at the Cosmopolitan: H. C. Crowell at the Grand Union; F. A. Doggett at the Manhattan; W. F. Gordon and A. Gregory at the Astor; E. S. Hall at the Grand.

Editor E. W. Hoch says regarding the mention of his name as a candidate for congress in the Fourth Kansas district that it has been done without consulting him and that he has now the only office he wants—his newspaper office.

The Maryville, Mo., council has instituted impeachment proceedings against James P. Davis, town marshal, charging him with receiving money from the proprietors of disreputable houses and with releasing from fail without trial persons charged with crime.

ATTORNEY GENERAL BOYLE IG-NORES FEDERAL COURT ORDER.

# THREATENED CLASH AT HAND.

THE OLD QUESTION OF STATE'S RIGHTS IS INVOLVED.

POPS ARE BACKING MR. BOYLE.

INSISTED UPON HIS DEFYING THE FEDERAL INJUNCTION.

After Being Ordered Not to Harns One of the Hillmon Companies, Mr. Boyle Brings Suit to Oust It From Doing Business in State of Kansas.

Topeka, Kas., Aug. 9 .- (Special.) The hreatened clash of authority between the state and federal authorities took place today when Attorney General L. C. Boyle defied the recent order of Judge Williams. of the United States circuit court, and instituted proceedings in the state supreme court to enjoin the Mutual Life Insurance Company of New York from transacting ousiness in the state of Kansas. The right of the federal court virtually to set aside a criminal law of a state and enjoin the state's prosecuting officer from doing his duty under the state law is denied, and by filing the suit to-day the attorney general deliberately violated the injunction of the federal court for the purpose of settling the question of state's rights.

A few days ago Attorney General Boyle said in an interview that he would not violate the order of Judge Williams. He reiterated that statement this forenoon. This afternoon he dictated a petition to his stenographer, and at 5 o'clock filed it with the clerk of the supreme court.

The case is in the nature of a quo warranto proceeding. The attorney genera brought it on relation of the state, and made John E. Lord, the general agent of the Mutual Life Insurance Company of New York for the state of Kansas, the de fendant. Lord's name was used in order to get the foreign corporation into court. Boyle Will Push the Case.

Boyle expects to push this case in the supreme court, and at the same time he expects to be cited to appear in the federal ourt to show why he should not be punished for contempt of court. He claims that the injunction issued by Judge Williams at Colorado Springs a few days ago is unconstitutional, and it is on this question that he expects to take the case to the

The action of Attorney General Boyle was taken this afternoon, after an extended conference of all the Populist state officials, and party platform makers, in the govern-or's office. It is said that Boyle counseled against such action, but that all the rest insisted on his defying the federal authorities and instituting proceedings. He is the only one to be caught for contempt, and of other officials, whose liberty is not at stake, instead of his own judgment. The only object the other officials have in view is to make political capital in order to bolster up their party, and they will even consent to have Boyle deprived of his liberty to accomplish that end. The attorney general was closeted with legal advisers to

night and could not be seen. G. C. Clemens, supreme court reporter, the original "anarchist" of Kansas, is highly elated to-night over the action of Attorney General Boyle. He says it is the opening gun in a struggle that promises to be of as much importance as the civil war. It is the beginning of a war which will result in the abolishment of federal courts, he says, and the restoration of state sovereignty, as intended by the forefathers.

# Mr. Boyle's Petition.

Mr. Boyle's Petition.

The petition filed to-day is as follows:
"Louis C. Boyle, attorney general of the state of Kansas, comes now here into the state of Kansas, comes now here into the state of Kansas, and, by authority and in the name and on behalf of the said state, gives the said court here to understand and be informed at said defendant. John E. Lord, without having been thereunto licensed by the superintendent of insurance of the said state, or in any manner authorized by the laws thereof, claims a certain franchise in said state, and, so claiming, has exercised, and does still exercise, and will so continue to exercise said franchise unless prevented by the judgment of this court; to-wit, the franchise of acting within the state of Kansas as the general agent of a certain life insurance company not organized under the laws of this state, but organized and existing by and under the laws of the state of New York, to-wit, the Mutual Life Insurance Company of New York, and as such general agent appointing other agents of said company to act as such in this state; of personally, and by and through such agents so appointed, procuring, receiving and forwarding in and from this state applications for insurance in said Mutual Life Insurance Company of New York, and on behalf of the said state of Kansas, gives the court to further understand and he informed that the said Mutual Life insurance with said Mutual Life insurance of the said state of Kansas, and erriflects of authority to, directly or indirectly, transact any business of insurance in the state of Kansas any certificate; and said company had and has not authority whatever from the state of Kansas any certificate; and said company had and has no authority whatever from the state of Kansas to transact in said state any life insurance or other insurance business whatever.

"And the said attorney general, in name, by authority and on behalf of the state of kansas to transact in said state any life insurance or other insurance business whatever.

"And the sa

insurance or other insurance business whatever.

"And the said attorney general, in name, by authority and on behalf of the state of Kansas, avers that, by reason of the premises, the said defendant has usurped and does usurp upon the state of Kansas the franchise aforesaid, and claims and assumes to exercise the same without authority of law.

"Wherefore, the said attorney general, in the name, by authority and on behalf of the state of Kansas, prays the court here that said defendant may be required to answer to this matter; that he may be ousted and forever excluded from claiming or exercising said franchise without authority of the state of Kansas first had and given in accordance with the laws of said state, and that said state may be given such other relief as the case upon hearing may warrant."

Will Be Tried on Its Merits.

# Will Be Tried on Its Merits.

The case in the supreme court will take he same course as a civil proceeding. It will be tried on its merits. The insurance company will be called upon to produce evidence showing that it is legally entitled to do business in Kansas. If it falls to do this, then it will be deprived of doing busi-ness in the state. The chief bone of contention is over the question raised by the recent action of State Insurance Commis-sioner McNall as to whether the insurance department can arbitrarily bar a solvent company out of the state.

holder of the company which is tangled up in the litigation. High-minded judges, from those on the United States supreme court down, have siways refrained from sitting in an insurance case in which a company in which they were insured was involved. Although Chief Justice Doster has a desire to twist the tails of corpora-tions in general and insurance companies in particular, he would no doubt vacate the bench in this case to prevent criticism of his acts. The case will not come up in the supreme court until October. The attor-neys for the insurance company will probably call Judge Williams' attention to the action of Attorney General Boyle, and the federal judge is likely to have the attorney general before him for contempt at Wich-its on September 2. That is the first day

of the next term of the federal court in This is the order granted by Judge Willfams that has precipitated the fight be-tween the state and federal authorities:

The Violated Injunction.

"Upon presentation of the verified bill of complaint herein duly filed, and for good cause shown, it is hereby ordered that the hearing of the application of the complainant herein for a temporary injunction and certain orders mentioned and described in said bill of complain to and the same is hereby set down for the first day of the next ensuing term of this court at the city of Topeka, in Shawnee county, state of Kansas; and, in the meantime and until such hearing, it is ordered, adjudged and decreed that the defendants herein, Webb McNall, superintendent of insurance: his clerks, agents and employes, and Louis C. Boyle, as attorney general of the state of Kansas, his clerks, agents and employes, be and each of them is hereby strictly commanded and enjoined from in any manner whatever interfering with the Mutual Life whatever interfering with the Mutual Lif-Insurance Company, of New York, com-plainant herein, its officers, agents are employes, in the transaction of its life in surance business in the state of Kansas and from in any manner whatever proceeding against said company, its officers, agen and from in any manner whatever proceeding against said company, its officers agents or employes, in any civil or criminal action, or from attempting to proceed against any of the officers agents or employes of the Mutual Life Insurance Company, of New York, complainant herein as aforesaid, or attempting to interfere or from interfering whatever with the Mutual Life Insurance Company, of New York, complainant herein, its officers, agents and employes in soliciting business, receiving premiums and issuing policies upon the five of individuals within the state of Kansas, under the pains and penalties which may fall upon them and each of them in case of disobedience; that they forthwith, and until the application for a temporary injunction can be heard, desist from harassing or troubling in any manner whatever the said Mutual Life Insurance Company, of New York, complainant herein as aforesaid, its officers, agents and employes, in transacting the business of life insurance in the state of Kansas, it is further ordered that certified copy of this order shall be forthwith served upon each of the said defendants."

McNall at the Bottom of It.

McNall at the Bottom of It.

The entire trouble arose over the arbitraaction of Insurance Commissioner Webb McNall in refusing to license the Mutual Life, of New York. On March 3 of the present year the old license expired, and the mpany sent a draft to renew it. McNall returned the draft and refused the license because the company had not paid the fa-mous Hillmon claim. At the same time he refused to license the New York Life and the Connecticut Mutual companies, the two others involved in the Hillmon litigation. Since that time, suits of various kinds have been filed by these companies. The Mutual filed suit for damages against McNall and his bondsmen, and this case is now pending in the federal court. Then, on July 29, it filed suit before Judge Williams, acting as Nall and the attorney general from inter-

The sweeping order made by Judge Willfams, in which he even prohibited the attorney general from bringing civil or criminal action against the company, caused th state officials to make a mighty howl, and resulted in the case brought to-day, in e federal authorities were defied. When the case comes to trial in the fed-eral court, it will be contended that that court has no jurisdiction, for the reason Life Company cannot transact business at all in the state of Kansas, because of the fact that it is a foreign mutual company without any capital stock, and that companies are not authorized to write bustness in the state under existing laws. The attorney general's action in attempting to enforce the state insurance law will be attacked upon the grounds that he has gone at the matter in an unconstitutional way. law gives him the right to bring quo warranto proceedings to oust a company from Kansas when that company is solvent.

### JUDGE WILLIAMS WON'T TALK. Says Attorney General Boyle's Action Is a Matter of Indifference

to Him. Colorado Springs, Col., Aug. 9 .- (Special.) Judge Williams was seen by the correspondent of The Journal at his summer home in the mountains near Manitou late to-night. When informed of the action taken by the attorney general, the judge was evidently much provoked.

"This is a matter of supreme indifference to me," he said. "It is the ruling of another court, and I have absolutely nothing to say on the subject, only to express the indifference I feel."

### MR. BUSH'S REFORM SCHEME. Secretary of State Wants Powers of the State Board of Equalization

Topeka, Kas., Aug. 9.—(Special.) Secretary of State W. E. Bush to-day outlined an amendment to the present law govern-ing taxation which he proposes to attempt to have adopted at the special session of the legislature. He wants the law so amended as to give the state board superamended as to give the state board supervision over the county boards of equalization and clothe it with the power to equalize
property as between the individuals in
the county. In this way he says the taxation question can be solved. In case the
state board is not satisfied with the assessment as certified up by the county board it
could go to that county and equalize the
property itself. Mr. Bush has it figured
out that the packing industry of Kansas
City. Kas... alone should pay taxes on
\$1,00,000 worth of personal property. If his
plan of giving the state board power to
equalize between individuals in the county
is adopted, he says the corporations cannot escape their just portion of taxation.

### NEW CO-OPERATIVE COMPANY. Kansas City, Kas., Men Interested in a Big Mexican Coloniza-

tion Scheme. Topeka, Aug. 9.-(Special.) La Companta Empressa Mexicana is the title of a new co-operative company chartered by the secretary of state to-day. The company has a capital stock of \$500,000, and its object has a capital stock of \$500,000, and its object is to operate a co-operative colony in the state of Vera Cruz, Mexico. Its head-quarters will be in Kansas City, Kas., the directors are: Charles M. Hale, W. G. Seaver and G. E. Woodhouse, of Chicago, J. W. Zook, of Fort Worth: S. H. Milliken, of Dallas: J. J. Haynes, of Laredo: D. D. Hoag, Winfield Freeman and Thomas Donohue, of Kansas City, Kas.

# Topeka "Clubs" Want to Run.

Topeka, Kas., Aug. 9.—(Special.) Governor Leedy will soon receive an enormous petition, begging him to allow the "clubs" to run in Topeka. The petitions have been in circulation several days and it is claimed that there are 2.500 names on the papers and that they will be ready for presentation to the covernor some time this week. company out of the state.

Chief Justice Doster will not likely sit in the hearing of the case, as he is a policy, the control of the governor some time this week.

# WOMEN AS JURORS.

THREE DRAWN FOR SERVICE AT FORT SCOTT, KAS.

# WILL PROBABLY HAVE TO SERVE

ARE ELECTORS AND TAXPAYERS, AND, THEREFORE, ELIGIBLE,

All Are the Wives of Prominent Fort Scott Business Men-Their Names Were Furnished to the County Clerk by the Mayor.

Fort Scott, Kas., Aug. 9.-(Special.) When the regular and addition jury panels for the September term of the district court for this county were drawn this afternoon, the names of three prominent women of this city were among the list of jurors. The women whose names were drawn are Mrs. A. Kaufman, wife of Sigmund Kaufman, grocer; Mrs. A. M. Douglass, wife of Charles Douglass, a mine operator, and Mrs. M. E. Ross, wife of C. Ross, a real estate broker.

The names were furnished the county clerk by the mayor, who took them from the 1897 tax rolls. The women own property and pay taxes, and the names were drawn in the same manner as men's names. On the tax rolls their names appear without the prefix "Mrs."

The state law provides that all taxpayers who are electors are eligible for jury service, and as women are electors in municipal elections, they are, no doubt, eligible, Several prominent attorneys are of the opinion they will have to serve, unless excused by the court.

### MR. KENNA'S NARROW ESCAPE. His Special Car Badly Demolished in

a Collision at Burlingame, Kas., Yesterday.

Topeka, Kas., Aug. 9.—(Special.) General Solicitor Kenna, of the Santa Fe syseral Solicitor Kenna, of the Santa Fe system, had a narrow escape from death in a wreck this morning at Burlingame. He was on his way home from a trip to Old Mexico, and his special car was attached to the first section of the passenger truin due in Kansas City at 7 a. m. The train stopped at Burlingame for orders, and section No. 2 overtook it. After nothing the danger signal the engineer of the second train did not have time to bring his train to a dead step. The front end of the boiler and pilot of the engine crashed into the private car. Mr. Kenna was dressing for the day, and was standing near the rear of his car. When he saw the danger he ran to the middle of the car. This saved him. The berth out of which he had just crawled was demolished. He took passage in a Pullman and came to this city. A wrecking crew soon cleared the track and brought Mr. Kenna's car and the damaged engine to the Topeka shops for repairs. Traffic was delayed a short time. Mr. Kenna spent the day here at the general offices, and left this evening for Chicago. tem, had a narrow escape from death in a

# A DOUBLE WRECK.

Freight Goes Through a Bridge and Passenger Jumps the Track in

Running Around It. Portland, Ind., Aug. 9,-At II o'clock this orning a south bound Grand Rapids & Indiana freight train went through the Indiana freight train went through the bridge spanning the Wabash river, a mile north of Gereva. The engine and tender fell into the river, and the cars piled up over them. Engineer Burney Reid and Fireman James Gallagher went down with the engine. The former had both legs crushed and was otherwise badly injured. He will die. Fireman Gallagher and Brakeman James Clifford were severely injured. Owing to the wreck, traffic over the road was suspended and passenger trains were sent from Portland and Decatur around by way of Cellina. O., over other lines. The south from Portland and Decatur around by way of Cellina, O., over other lines. The south bound Grand Rapids passenger train, due here at 2 p. m., while making the detour, was wrecked two miles north of Coldwater, O. The train left the track and Engineer Brown, of the Mackinsw road, was killed and Engineer Anderson and Fireman Golden, of the Grand Rapids train, were seriously injured.

# FLOOD IN MISSISSIPPI.

Protracted Drouth Broken by a Deluge Which Greatly Damages

Property and Crops. Meridian, Miss., Aug. 9.-The heaviest and most disastrous rainfall this section of the country has experienced in years occurred yesterday and to-day. Four days ago the mountain streams in this part of the state were almost dry from the prolonged drouth, but to-night they are roaring torrents, sweeping everything before them. Bridges have been swept away, fences carried off and in the lowlands bordering the larger streams corn and cotton have been n ruined. The damage to property in Mississippi and West Alabama in the a of bridges, fences, etc., will be heavy.

# TEN NEGROES MISSING.

Towboat Blows Up on the Mississippi River, Ten Miles Below Cairo, III.

Cairo, Ill., Aug. 9.-Captain B. B. Bradley's towboat, Fritz, blew up ten miles beley's towboat, Fritz, blew up ten miles below here at 7 o'clock this morning. Ten
men are missing, and four are badly sealded. The Fritz was on her way here from
O'Brien landing, with a tow of logs, when
her flues collasped. The Ora Lee towed
the Fritz into this port about 16 o'clock,
and the injured men were sent to the
marine hospital.

The ten men missing are all negro roustabouts and deckhands. It is impossible to
get their names.

Coffeyville, Kas., Aug. 9.—(Special.) W. A. Gordon, a Missouri Pacific bridge carpenter, was instantly killed to-day while working on a bridge over the Verdigris river, near this city. He lost his balance and fell from the top of the structure to the rocks, fifty feet below. His head was crushed. He was about 34 years old and unmarried. He has relatives at Winfield, Kas.

Fatal Boiler Explosion.

Mena, Ark., Aug. 9.—(Special.) A boiler explosion occurred in the planing mill of C. P. Morrison & Co., which wrecked the entire building, and the engineer. Harry Nelson, was horribly mangled. His head was blown off by the flying iron. He leaves a wife and two children. Other employes about the building were injured, but not seriously.

Private Yacht Buns Ashore.

Cape May, N. J., Aug. 2.—John T. Healy's forty-ton yacht. Oxonian, with its owner and Dr. S. T. Baines, of Philadelphia as a guest, while sailing to Atlantic City today, ran ashore at South Cape May. The Cape May Point life saving crew took the passengers off. The yacht will be a total loss.

Gravel Train Strikes a Street Car.

Janesville, Wis., Aug. 2.—A gravel train on the Chicago & Northwestern railroad struck a street car, which was passing over the main track of the road, throwing it to one side and injuring six persons seriously. It is believed that none of the injuries will prove fatal. Blacksmith Burned to Death.

Ellsworth, Kas., Aug. 2.—Fred Kipp, residing with his father, six miles west of here, was overcome with heat this afternoon while working in his blacksmith shound, falling face downward into the fire, was burned to death.